

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION**

United States of America,)
)
)
Plaintiff,) **DETENTION ORDER**
)
)
vs.)
)
Fidencio Valdez-Mariano,) Case No. 1:08-mj-067
)
)
Defendant.)

On October 10, 2008, the Defendant made his initial appearance on a complaint charging him with possession of a fraudulent registration receipt card pursuant to 18 U.S.C. § 1546(a). AUS A David Hagler appeared on the Government's behalf. Assistant Federal Public Defender Orell Schmitz was appointed as defense counsel and appeared on the Defendant's behalf. An interpreter, Jessica Egge, was also present.

The Government has orally motioned for the Defendant's detention. The Defendant, after consulting with defense counsel, waived his right to detention and preliminary hearings and consented to detention pending final disposition of this matter. The court accepts the Defendant's waiver, finding that it freely and voluntarily, knowingly and intelligently, and upon advice of counsel. Further based on the Defendant's waiver of his right to a preliminary hearing, the court finds there is probable cause that the Defendant may have committed the offense alleged in the complaint. Accordingly, the court **ORDERS** that the Defendant be bound over to the United States District Court to answer to the charges set forth in the complaint.

The court **GRANTS** the Government's Motion for Detention and **FURTHER ORDERS** that the Defendant be committed to the custody of the Attorney General or his designated

representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The Defendant shall be afforded a reasonable opportunity for private consultations with defense counsel. On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility shall deliver the Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

Dated this 10th day of October, 2008.

/s/ Charles S. Miller, Jr
Charles S. Miller, Jr.
United States Magistrate Judge